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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM HENNE, Decedent, by and through) Case No. 2:24-CV-02275-TLN-AC
his successors in interest; F.H., a minor, by and)
through her proposed guardian ad litem, Reatana) [Assigned to the Honorable U.S. District
Ven, individually and as co-successor in interest) Judge Troy L. Nunley – Courtroom 2]
to Decedent; W.A.H., a minor, by and through his)
proposed guardian ad litem, Alexis Celeste,) FIRST STIPULATION AND ORDER
individually and as co-successor in interest to) TO MODIFY INITIAL PRETRIAL
Decedent; W.R.H., a minor, by and through his) SCHEDULING ORDER
proposed guardian ad litem, Alexis Celeste,)
individually and as co-successor in interest to)
Decedent,)
)
Plaintiffs,)
vs.)
)
COUNTY OF SAN JOAQUIN, a public entity, et)
al.,)
)
Defendants.)

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1 Plaintiffs and Defendants (“the parties”), all through their undersigned counsel of record,
2 and subject to the approval of the Court, respectfully stipulate as follows:

3 RECITALS

4 A. On August 20, 2024, Plaintiffs filed this civil-rights, wrongful death, and survival
5 action.

6 B. On August 21, 2024, the Court issued its Initial Pretrial Scheduling Order (the
7 “Scheduling Order”). ECF No. 3.

8 C. On September 9, 2024, the Court granted the previously filed application of Retana
9 Ven to be appointed the guardian ad litem for minor Plaintiff F.H. ECF No. 10.

10 D. On September 9, 2024, the Court granted the previously filed applications of Alexis
11 Celeste to be appointed the guardian ad litem for minor Plaintiffs W.A.H. and W.R.H. ECF No.
12 11.

13 E. On October 10, 2024, a Waiver of Service was filed as to all Defendants. ECF No.
14 12.

15 F. On November 27, 2024, the County of San Joaquin Defendants filed an Answer to
16 Plaintiffs’ Complaint. ECF No. 14.

17 G. The parties have met and conferred regarding the Scheduling Order, and the parties
18 believe certain dates in it will not give the parties sufficient time to investigate the issues in the
19 case, conduct discovery, and prepare for trial.

20 H. The undersigned counsel for Plaintiffs are in the midst of conducting extensive
21 discovery in a number of other complex, in-custody death cases, and two of the undersigned co-
22 counsel for Plaintiffs have separate jury trials commencing on April 21 in such matters, both of
23 which will progressively consume substantial time through and including April 21 – May 2,
24 following which several weeks are blocked off for depositions of fact witnesses and expert
25 witnesses in other matters. Counsel for Plaintiffs have highly impacted schedules for the next 8-9
26 months.
27

28 I. The parties, nevertheless, have exchanged initial Rule 26(a)(1) disclosures and

Plaintiff has served Requests for Production.

J. Given the press of business, other trials, and matters that counsel have scheduled, the anticipated time the parties will require to respond to discovery requests and marshal the documents that will be requested, the time required to meet and confer on discovery in an effort to avoid potential discovery motions, the time required for the parties to prepare a stipulated protective order governing the production of sensitive or confidential materials or information, the large number of depositions that may have to be taken, as well as the desire of counsel for the parties to be able to exercise professional courtesy by reasonably accommodating the schedules of the deponents and counsel as much as possible, granting reasonable extensions, and the need to set depositions on mutually available dates, including the anticipated difficulties with doing this (in view of the number of schedules and potential depositions involved), the undersigned counsel reasonably estimate the need for, and, thus, respectfully request, that an additional 120 days be added to the deadline for the completion of discovery, as set forth in Section III of the Initial Pretrial Scheduling Order. (ECF No. 3 at 2:15-23.) All successive deadlines in the Pretrial Scheduling Order would be correspondingly extended, with spacing between such dates to remain the same as is set forth in the Pretrial Scheduling Order.

K. The parties, therefore, respectfully request additional time to complete these items in the Scheduling Order.

L. When an act must be done within a specified time, the Court may, for good cause, extend the time with or without motion if the court acts, or a request is made, before the original time expires. Fed. R. Civ. P. 6(b)(1)(A). With respect to an order setting forth the Court's pretrial schedule, "[t]he district court may modify the pretrial schedule 'if it cannot be reasonably met despite the diligence of the party seeking the amendment.'" *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992).

M. There have been no prior modifications of the Scheduling Order.

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STIPULATION

The parties, by and through their undersigned counsel, respectfully request that the Court modify the Scheduling Order as follows:

Case Event	Current Deadline (ECF No. 3)	Proposed Amended Deadline
Cutoff of Non-Expert Discovery	11/27/2025	03/27/2026
Expert disclosures/ Expert Witness Designations	1/26/2026	05/26/2026
Rebuttal expert disclosures	2/25/2026	06/25/2026
Supplemental disclosures (FRCP 26(e))	04/24/2026	08/24/2026
Dispositive motion filing cut- off date	05/26/2026	09/23/2026

Based on the foregoing, the parties respectfully request that the Court grant this stipulation for a modification of the Scheduling Order.

Respectfully Submitted,

Dated: March 10, 2025
SCHMIDT,

LAW OFFICE OF SANJAY S.

**GRACE JUN, ATTORNEY AT LAW, and
LAW OFFICES OF PANOS LAGOS**

/s/ Sanjay S. Schmidt

By: SANJAY S. SCHMIDT
Attorneys for Plaintiffs

Dated: March 10, 2025
LLP

BURKE, WILLIAMS & SORENSSEN,

/s/ Kyle Anne Piasecki*

By: Kyle Anne Piasecki
Gregory B. Thomas
Kyle Anne Piasecki
Jackson D. Morgus
Attorneys for Defendants

*Pursuant to Local Rule 131(e), counsel has authorized submission of this document on counsel's behalf.

ORDER

The Court, having considered the parties' stipulation, and good cause appearing, rules as follows:

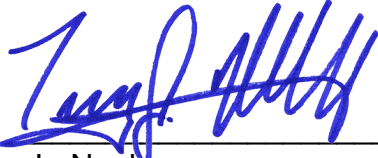
The Court finds the parties have shown good cause for the relief their Stipulation requests.

THEREFORE, the relief the parties request is GRANTED, and the scheduling order is modified as follows:

Case Event	New Deadline
Cutoff of Non-Expert Discovery	03/27/2026
Expert disclosures/ Expert Witness Designations	05/26/2026
Rebuttal expert disclosures	06/25/2026
Supplemental disclosures (FRCP 26(e))	08/24/2026
Dispositive motion filing cut-off date	09/23/2026

IT IS SO ORDERED.

Dated: March 10, 2025



Troy L. Nunley
Chief United States District Judge